

Message Text

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ACTION EA-09

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E.O. 11652: N/A

TAGS: PINT, KS

SUBJECT: MYONGDONG TRIAL: FOURTH APPEAL SESSION

REF: SEOUL 9399

SUMMARY. TWO WITNESSES TESTIFIED IN SUPPORT OF DEFENSE.
COURT AGREED TO CONSIDER KIM TAE-CHUNG ELECTION LAW VIOLATION
CASE IN SEPARATE HEARING. COURT DECISION NOT TO HEAR MORE
DEFENSE WITNESSES MAKES EARLY CONCLUSION OF CASE POSSIBLE.
POLICE ARRESTED DEMONSTRATOR BEARING SIGN DEMANDING RELEASE
OF KIM TAE-CHUNG. END SUMMARY.

1. FOURTH SESSION MYONGDONG APPEAL TRIAL DECEMBER 4 HEARD
TWO DEFENSE WITNESSES. HUMAN RIGHTS ACTIVIST PASTOR UN MYONG-
KI TESTIFIED THAT FREEDOM OF RELIGION WAS LIMITED IN KOREA AS
DEFENDANTS ALLEGED IN MYONGDONG DECLARATION. HE POINTED
OUT THAT CHURCH SERVICES WERE MONITORED, THAT MINISTERS WERE
WATCHED, THAT CHURCHGOERS WERE DISCOURAGED BY AUTHORITIES
FROM ATTENDING PRAYER MEETINGS FROM TIME TO TIME AND THAT
MINISTERS HAD BEEN QUESTIONED AND EVEN ARRESTED BY POLICE.
HE SAID THESE RESTRICTIONS WERE FELT AFTER ADOPTION OF
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YUSHIN CONSTITUTION AND NOTED THAT LIBERAL PARTY

REGIME NEVER LIMITED CHURCH FREEDOM IN SIMILAR MANNER. HE SAID CHRISTIANITY INCOMPATIBLE WITH COMMUNISM. KOREAN CHRISTIANS NOT INTERESTED IN POLITICS OR IN VIOLATING LAWS BUT DID HAVE DUTY TO SPEAK OUT IN DEFENSE OF HUMAN RIGHTS AS MYONGDONG DEFENDANTS HAD DONE.

2. PROFESSOR TAK HUI-CHUNG OF SUNG KYUN KWAN INDUSTRIAL RELATIONS CENTER TESTIFIED ABOUT WAGES AND WORKING CONDITIONS IN KOREA. TAK'S TESTIMONY WAS CAREFULLY WORDED BUT HE DID SUPPORT CONTENTION THAT WAGE INCREASES HAVE NOT KEPT PACE WITH PRODUCTIVITY GROWTH. HE CONFIRMED ALLEGATION THAT JAPANESE FIRMS IN SPECIAL INDUSTRIAL ZONES WERE ACCUSED OF PAYING POOR SALARIES AND OFFERING POOR WORKING CONDITIONS. HE ADMITTED THAT ROKG HAD GIVEN ITSELF ENOUGH AUTHORITY TO HAMSTRING LABOR MOVEMENT IF IT CARED TO DO SO. HE HOPED WORKERS WOULD SOME DAY OBTAIN GREATER MEASURE OF INDUSTRIAL RIGHTS BUT REFUSED TO BE DRAWN INTO DISCUSSION OF WHETHER CURRENT RESTRICTIONS JUSTIFIED OR NOT FROM NATIONAL SECURITY POINT OF VIEW.

3. UPON COMPLETION OF TESTIMONY, KIM TAE-CHUNG ASKED COURT TO SEPARATE MYONGDONG CASE FROM HIS ELECTION LAW VIOLATION CASE. COURT ADJOURNED BRIEFLY AND THEN ANNOUNCED THAT IT WOULD INDEED SEPARATE CASES. COURT ALSO DECLARED EXAMINATION OF DEFENSE WITNESSES CLOSED AND SET NEXT SESSION FOR DECEMBER 11.

4. YI TAEK-TON, DEFENSE ATTORNEY, MENTIONED PRIVATELY TO EMBASSY SOURCE THAT HE BELIEVED TRIAL WOULD BE OVER SOON. NEXT SESSION WOULD PERMIT SOME QUESTIONING OF DEFENDANTS THEMSELVES, AND PROSECUTION AND DEFENSE SUMMARIES. THAT WOULD PERMIT COURT TO ISSUE DECISION ON DECEMBER 18 IN TIME FOR COURT'S CHRISTMAS RECESS.

5. KIM SUK-WON, CHAUFFER FOR AN ASSOCIATE OF KIM TAE-CHUNG RAISED A SIGN READING "RELEASE KIM TAE-CHUNG" OUTSIDE COURT HOUSE BEFORE SESSION OPENED. HE WAS ARRESTED ON SPOT. NO FURTHER DEMONSTRATIONS OCCURRED.

6. COMMENT: IT REMAINS TO BE SEEN WHETHER ROKG WILL PUSH LIMITED OFFICIAL USE

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MYONGDONG CASE TO RAPID CONCLUSION. HOWEVER, ROKG HAD CONSISTENTLY ARGUED THAT IT COULD OFFER NO SPECIAL CONSIDERATION TO DEFENDANTS UNTIL COURTS HAD DISPOSED OF CASE. PROMPT PROCESSING OF CASE BY APPEALS COURT AND QUICK ACTION BY SUPREME COURT IN JANUARY WOULD GIVE ROKG OPPORTUNITY TO EVALUATE DISPOSITION OF CASE IN EARLY DAYS OF NEW U.S. ADMINISTRATION WITHOUT DEMONSTRATING INTERFERENCE IN JUDICIAL PROCESS.

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